

REMARKS

Claims 1-21 are pending in this application, of which Claims 1, 8, 14, 16, 18 and 20 are in independent form, and have been amended to define still more clearly what Applicant regards as his invention. A typographical error in Claim 16 has also been corrected. It should be noted that the changes made to the claims are to clarify what Applicant was in his view already claiming, and thus do not represent a narrowing of the intended scope of any claim recitation.

Claims 1, 8, 14, 16, 18 and 20 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention, and also as not supported by an enabling disclosure.

Applicant submits that the comparing step recited in Claim 1 (for example) corresponds to a process illustrated in Fig. 22: calculating distance d between white points of a set of colorimetric data read from a database 214 (S215 or S218), determining whether the distance d is a minimum value or not by comparing the distance d with a variable \min (S219), and when the distance d is a minimum value, updating the variable \min to the distance d (S2110). That is, in the comparing step, the terms “conditions of the light sources” and “the plurality of sets of colorimetric data” read on the colorimetric data stored in the database 241, and “a set of colorimetric data corresponding to a light source that has a condition similar to the inputting viewing condition” reads on the set of colorimetric data

having the minimum distance d .^{1/} Accordingly, Applicant submits that Claims 1, 8, 14, 16, 18 and 20 are supported by enabling disclosure, and that the claim feature which formed the basis for the written-description rejection was disclosed in the application as filed, in such manner as to comply with that requirement. Therefore, withdrawal of these rejections is respectfully requested.

Claims 1, 3-5, 8, 10, 11, 14, 16, 18 and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,081,254 (Tanaka et al.), Claims 2, 7, 9, 13, 15, 17, 19 and 21 were rejected under 35 U.S.C. § 103(a) as being obvious from *Tanaka*, and Claims 6 and 12 were rejected under Section 103(a) as being obvious from *Tanaka* in view of U.S. Patent 5,748,342 (Usami).

Colorimetric data is measured under a light source, and therefore the colorimetric data depends on the light source. However, it is impossible as a practical matter to store colorimetric data corresponding to all possible light sources, because of the extremely large number of light sources that exist. In the aspects of the present invention to which the present independent claims are respectively directed, a conjecture is made as to colorimetric data depending on an input viewing condition, based on sets of colorimetric data corresponding to particular kinds of light sources. This is done to solve the mentioned problem. That is, a set of colorimetric data corresponding to a light source that has a condition similar to the input viewing condition, is selected from among a number of sets

^{1/} It is of course to be understood that the claim scope is not limited to the details of the preferred embodiment referred to.

of colorimetric data, and the colorimetric data depending on the input viewing condition is conjectured from the selected set of colorimetric data.

More specifically, independent Claim 1 is directed to an image processing method, in which there are obtained a plurality of sets of colorimetric data which correspond to respective light sources. A viewing condition is input, and the input viewing condition is compared with conditions of the light sources to select a set of colorimetric data corresponding to a light source that has a condition similar to the input viewing condition, from the plurality of sets of colorimetric data. Then, colorimetric data depending on the input viewing condition is conjectured, from the selected set of colorimetric data.

Tanaka relates to a color correction system, in which (as shown in Fig. 3) a signal representing an image of a color chart displayed by a display 103 is output from a sensor 106 and is input to a controller 104. The controller 104 controls a conversion characteristic of a converter 102 based on the input signal and reference data stored in a storage unit 105. A photometer 314 detects the illumination environment of the display 103 as illuminated by a light source 210, and a signal output from the photometer 314 is input to controller 104 to perform a correction for the illumination environment. In other words, the *Tanaka* system uses colorimetric data corresponding to signals output from the sensor 106 and the photometer 314, but Applicant notes that the storage unit 105 does not store a plurality of sets of colorimetric data which correspond to respective light sources, but rather color parameters corresponding to standard Munsell or Ostwald color chips (col. 6, lines 45-48). Thus, the *Tanaka* system does not execute a comparing step like that

recited in Claim 1, in which there is selected a set of colorimetric data from a plurality of sets of colorimetric data.

The Office Action relies on col. 6, line 60, to col. 7, line 10, as teaching the comparing step of Claim 1. However, this passage merely describes the use of the stored color parameters of a Munsell chip used to drive the display 103 in correspondence to an input color, as follows. As described, the sensor 106 is used to observe the color actually displayed. The controller 104 compares the signal output from the sensor 106 with the stored Munsell color chip data (used according to this passage as the reference data), and controls the display so as to produce a match between the displayed color and the reference color. This is done by correcting the characteristics of the converter 102 that receives the input data from terminal 101. For the reasons already stated, Applicant does not agree that this processing corresponds to the recited comparing step: nothing has been found, or pointed out, in *Tanaka* that would even hint that the storage unit 105 stores information corresponding to particular light sources, much less that a comparison should be made between an input viewing condition and conditions of such stored light-source data, and still less that such a comparison should be made to select colorimetric data corresponding to a light source whose condition is similar to the input viewing condition, as recited in Claim 1.

For these reasons, Applicant believes strongly that Claim 1 is allowable over *Tanaka*.

Independent Claim 8 is directed to an image processing method in which there are obtained a plurality of sets of colorimetric data which correspond to respective

light sources. A viewing condition is input, and a comparison is made between the input viewing condition and conditions of the light sources to select a set of colorimetric data corresponding to a light source that has a condition similar to the input viewing condition, from the plurality of sets of colorimetric data. Data for is generated color matching corresponding to the input viewing condition based on the selected set of colorimetric data.

Claim 8 is believed to be clearly allowable over *Tanaka* for at least the reasons presented above with regard to Claim 1.

Each of the other independent claims is either an apparatus claim, or a program-product claim, corresponding to one of the other of the method claims discussed above, and is deemed allowable for at least the reasons presented above with regard to Claim 1.

A review of the other art of record, including *Usami*, has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "L. P. Diana", is written over a horizontal line.

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